Morris Loses, 49 to 44 6/14/73

Senate Rejects FPC Nominee

By Mary Russell
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The Senate yesterday rejected, 49 to 44, President Nixon's nomination of Robert H. Morris, a San Francisco lawyer who represented Standard Oil of California, to be a member of the Federal Power Commission.

The vote came on a motion to recommit the nomination to the Commerce Committee, a move that effectively kills it.

Veteran Hill staffers say they cannot remember a regulatory agency nominee ever being turned down on the Senate floor before, though several nominations have died because of committee inaction.

The vote was a considerable blow to the Nixon administration, as Senators opposed to the nomination made clear they did not oppose Morris personally but were fed up with industry-oriented appointees to regulatory agencies.

ROBERT H. MORRIS
. . . Nixon appointee

Commerce Committee Chairman Warren G. Magnuson (D-Wash.) said, "The opposition to Mr. Morris stems from the fact that the Senate is again asked to accept, for an independent regulatory agency with vast powers over an industry which affects vital national interests, yet one more nominee whose professional career has been dedicated to the furtherance of the private interests of that industry."

Morris represented Standard Oil of California for 15 years, the last 7 on natural gas matters involving the Federal Power Commission.

Before the vote, Magnuson urged the Senate to "serve notice on the President that it expects revision of his criteria for the selection of nominees to all regulatory agencies."

He said the Senate should not be expected to confirm appointments "which appear to have been designed as rewards for politically supportive industries or other special interest groups."

Other factors that led to the demise of the Morris nomination include a recent decision by the FPC to approve a 73 per cent increase of the well head price of natural gas. Consumer groups have expressed outrage at the decision.

In addition, a report in last

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Sunday's Washington Post revealed an attempted destruction by an FPC staffer of documents from producers detailing the extent of their natural gas reserves.

The administration, on the grounds that there is a shortage of natural gas contributing to the energy crisis, has asked for deregulation of the gas. The FPC will be considering the question soon.

Ironically, it was Morris's position on the deregulation of gas, as stated by Sen John Tunney (D-Calif.) in answer to a question by Sen. John Tower (R-Texas), that may have lost Morris the nomination. Tunney, backing the nominee, said Morris was opposed to deregulation, and five conservative senators from gas and oil producing states voted for recommital.

Sen. Philip A. Hart (D-Mich.), tied Watergate and issues of credibility to the nomination, saying it would be hard for the FPC to look credibile increasing gas prices if all the commissioners were producer-oriented. "Maybe the White House doesn't understand credibility yet, but we should," Hart said.

It would be possible for the White House to resubmit Morris's name for nomination to the FPC, but no one seriously expects that to happen. Tunney said Morris, whose nomination has been pending since February, had "lost a lot of money" by turning down cases in the expectation of going on the FPC.

Magnuson said the White House has not indicated whether it would send up a more pro-consumer nominee, but said the White House has been consulting with the committee more often on agency nominations.

A Commerce Committee staff member said the White House has given Magnuson assurances that the seat of Mary Gardiner Jones, generally thought to be a pro-consumer member of the Federal Trade Commission, will be filled by a pro-consumer appointee when her term is up in September.